

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION**

JEREMY DON CUMMINGS,)	Civil Action No. 9:15-00030-CWH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
CAROLYN W. COLVIN, acting)	
Commissioner of the Social)	
Security Administration,)	
)	
Defendant.)	
)	


This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying the plaintiff's applications for Disability Insurance Benefits and Supplemental Security Income. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(a) (D.S.C.), this matter was referred to a United States Magistrate Judge for pretrial handling and a Report and Recommendation ("R&R"). The Magistrate Judge issued his R&R on March 8, 2016, recommending that the decision of the Commissioner be reversed and that this case be remanded to the agency because the Administrative Law Judge failed to adequately address all of the relevant evidence in the administrative record, and thus was unable to properly analyze whether the plaintiff's intellectual impairments, as measured in part by his IQ scores, met or equaled the required deficits in adaptive functioning set forth in Listing 12.05(C). 20 C.F.R. Pt. 404, Subpt. P., App'x. 1, § 12.05. (ECF No. 17).

The Commissioner has filed a response to the Magistrate Judge's R&R, stating that she will not file an objection to it. (ECF No. 19). The Court has reviewed the R&R and the record

#1
CWH.

evidence and finds that the Magistrate Judge has properly addressed the factual and legal issues in this matter. Therefore, the Court adopts the R&R as the Order of this Court, reverses the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and remands the matter to the Commissioner for further proceedings consistent with this Order.

AND IT IS SO ORDERED.


C. WESTON HOUCK
UNITED STATES DISTRICT JUDGE

April 8, 2016
Charleston, South Carolina

#2
CORA.